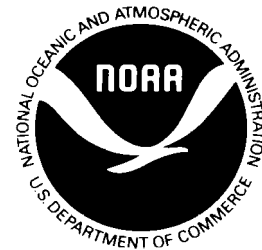


Summer Flounder, Scup, and Black Sea Bass Party/Charter Regulations:



The following is a summary of the regulations that apply to the Exclusive Economic Zone (EEZ), north of the latitude of the North Carolina/South Carolina border for summer flounder, and north of 35°15.3' N. lat. for scup and black sea bass, and is not a substitute for the actual regulations.

In cases where state recreational measures for scup and black sea bass differ from Federal regulations, federally permitted party/charter vessels are required to abide by the more restrictive state or Federal measure. For example, if a state has adopted a possession limit of 60 fish for scup, a federally permitted party/charter vessel is required to abide by the 50-fish per person possession limit when landing recreationally caught fish in that state. For summer flounder, see the Summer Flounder Conservation Equivalency section below.

PERMITS:

Any vessel that fishes for summer flounder, scup, or black sea bass in the EEZ (Federal waters) must have a valid summer flounder, scup, or black sea bass permit for the respective fishery, except for vessels other than party or charter vessels that observe the recreational possession limit. Fish retained under the recreational possession limit may not be sold. There are two types of summer flounder, scup, and black sea bass vessel permits, one for vessels for hire (charter and party permit) and one for commercial fishing vessels (moratorium permit).

- **Charter and Party Permit:** All charter and party vessels must have this summer flounder, scup, or black sea bass permit for the respective fishery if carrying passengers for hire. Fish retained while operating under a Charter and Party Permit may not be sold. Charter and Party Permits are 'open access' in that anyone may apply for a permit
- **Moratorium Permit:** Vessels must have a summer flounder, scup, or black sea bass moratorium permit to retain any amount of summer flounder, scup, or black sea bass for sale. Moratorium permits have been managed under a limited entry system since 1999, meaning that vessels had to satisfy specific criteria on historic commercial landings to be issued a permit and that no new moratorium permits are being issued.

A vessel owner with both a summer flounder moratorium permit and a charter or party permit may not fish under the terms of both permits at the same time. The operator of any vessel issued one of the above permits must also have a valid vessel operator's permit.

A commercial vessel that does not have a summer flounder, scup, or black sea bass moratorium permit may retain only the recreational possession limit for the respective fishery. The owner,

operator, and crew of a party or charter boat issued a summer flounder, scup, or black sea bass moratorium permit in addition to a charter/party permit for the respective fishery may not possess more than the recreational possession limit for the respective fishery when carrying passengers for hire, or if the crew size exceeds five for a party boat or three for a charter.

ANNUAL RECREATIONAL HARVEST LIMITS:

Annual (January 1-December 31) recreational harvest limits are established by the Mid-Atlantic Fishery Management Council.

SUMMER FLOUNDER CONSERVATION EQUIVALENCY

Conservation equivalency allows each state to establish its own recreational management measures (possession limits, minimum fish size, and fishing seasons), as long as the combined effect of all of the states' management measures achieves the same level of conservation as would Federal coastwide measures developed to achieve the recreational harvest limit, if implemented by all of the states. Annually, following confirmation that the proposed state measures would achieve conservation equivalency, the National Marine Fisheries Service (NOAA Fisheries Service) may waive the permit condition which requires federally permitted vessels to comply with the more restrictive management measures when state and Federal measures differ. Federally permitted charter/party permit holders and recreational vessels fishing for summer flounder in the EEZ then would be subject to the recreational fishing measures implemented by the state in which they land summer flounder, rather than the coastwide measures. Conservation equivalency was approved for the 2005 summer flounder recreational fishery.

The coastwide measures for summer flounder consist of a 17-inch minimum fish size, a possession limit of four fish, and no closed season.

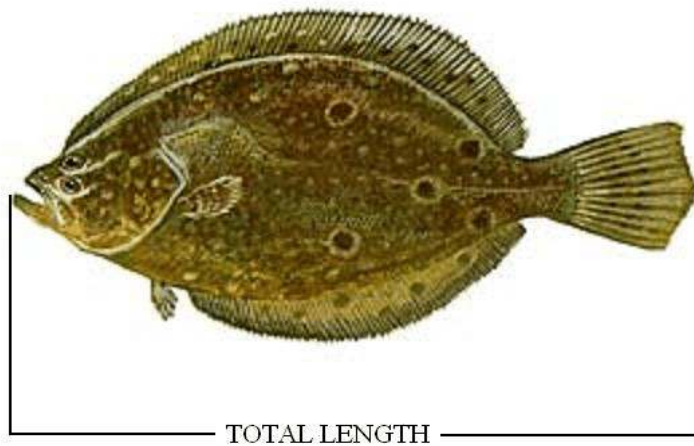
RECREATIONAL MANAGEMENT MEASURES - 2005

Species	Minimum Size (total length)	Possession Limit	Open Season
Summer Flounder	17 inches	4 fish	January 1 through December 31
	Under conservation equivalency, summer flounder management measures vary according to state of landing		
Scup	10 inches	50 fish	January 1 through last day of February, and September 18 through November 30
Black Sea Bass	12 inches	25 fish	January 1 through December 31

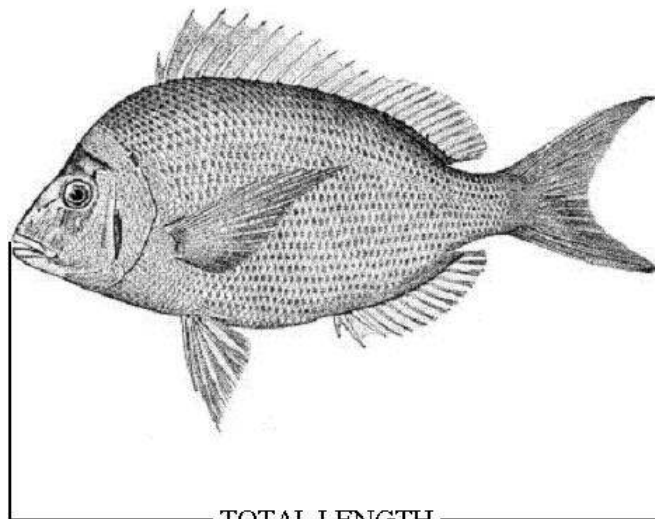
Notes: The **total length** is the straight-line distance from the tip of the snout to the end of the tail while the fish is lying on its side (Figure 1). A party or charter vessel may possess fillets smaller than the size specified if all state requirements are met.

TRANSFERS AT SEA:

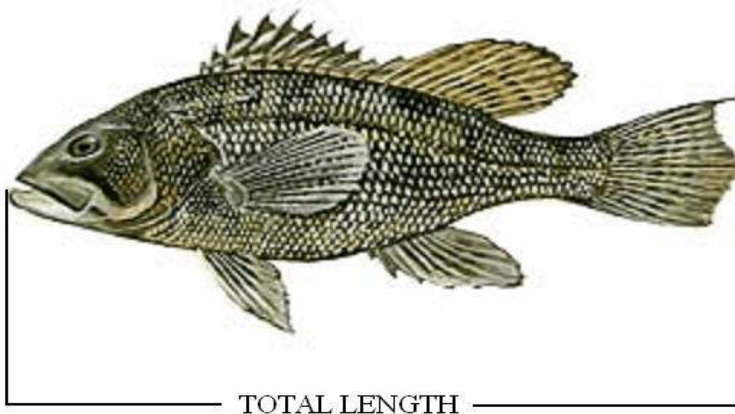
All persons aboard party/charter vessels are prohibited from transferring, or attempting to transfer, summer flounder, scup, and black sea bass from one vessel to another vessel while at sea.



TOTAL LENGTH



TOTAL LENGTH



TOTAL LENGTH

Figure 1. Summer flounder, scup, and black sea bass total length.